

REMARKS/ARGUMENTS

Favorable reconsideration of the present application is respectfully requested.

New claims 9-13 have been introduced.

Claims 1 and 2 recite a method for producing a separator for a fuel cell, including a step of forming grooves on a sheet form base material by rolling with a roller having a pattern on a peripheral surface thereof. Claim 1 has been amended to further recite a step of cutting or forming the sheet form base material into the separator having a desired profile. Basis for this is found in paragraph [0029].

Claims 1 and 2 were newly rejected under 35 U.S.C. § 102 as being anticipated by Japanese patent publication JP 5-217711 (Amano). Additionally, Claims 1 and 2 were rejected under 35 U.S.C. § 112 as being indefinite for failing to recite a step of forming a separator. The Examiner alleged that the claims therefore “read(s) on a shaped article and not specifically to a separator which is stated in the preamble.” This same reasoning was evidently the basis for the rejection based upon Amano since the Examiner did not allege that Amano discloses a method for producing a separator for a fuel cell.

Amano discloses a method of forming planar heating element providing more even heating. As the Examiner has evidently recognized, it has nothing to do with a method of forming a separator for a fuel cell. Additionally, Amano lacks any disclosure of the originally recited step of “forming grooves on the sheet form base material by rolling with a roller having a pattern on a peripheral surface thereof.” Instead, the sheet in Amano is shaped by press *molding in a press* and not by rolling with a roller (English Abstract: “it is molded ... by a press”; English translation, paragraph [0011]: “A the time of press forming...”).

In any case, the claims now recite the further step of “cutting or forming the sheet from base material into a separator having a desired profile.” Accordingly, they now recite a

step of forming the claimed separator. Accordingly, the claims define over the cited prior art method of forming a heating element using press shaping in Amano, and are definite under 35 U.S.C. § 112.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early notice of allowability.

Respectfully submitted,

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